

Message Text

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ORIGIN EB-07

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NSAE-00 EPG-02 FAA-00 AID-05 CEQ-01 ERDA-05

EPA-01 IO-13 L-03 NSF-01 NSC-05 PM-04 USIA-06

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E.O. 11652: N/A

TAGS: EAIR, US, GW

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SUBJECT: AEROSPACE: USG SUBSIDIZATION OF ANTI-NOISE,
ANTI-POLLUTION EQUIPMENT FOR CIVIL AIRCRAFT

REF: BONN 06267 (NOTAL)

1. WE ASSUME FRG CONCERN REPORTED IN REFTTEL RELATES TO VARIOUS FUNDING PROPOSALS FOR COMPLIANCE WITH NOISE STANDARDS CONTAINED IN PART 36 OF FEDERAL AVIATION REGULATIONS (FAR 36). RECENT REGULATORY ACTION EXTENDED FAR 36 AIRCRAFT NOISE LEVELS TO IN-SERVICE JET AIRCRAFT HAVING MAXIMUM TAKE-OFF WEIGHTS IN EXCESS OF 75,000 LBS. DEADLINE FOR COMPLIANCE (WHICH MAY BE ACCOMPLISHED EITHER THROUGH RETIRING OR MODIFYING "NOISY" AIRCRAFT) IS JANUARY 1, 1985. U.S.-REGISTERED AIRCRAFT USED ONLY IN INTERNATIONAL SERVICE AND FOREIGN AIRLINE AIRCRAFT USED IN U.S. SERVICES WERE EXEMPTED FROM COVERAGE WHILE USG WORKS THROUGH INTERNATIONAL CIVIL AVIATION ORGANIZATION (ICAO) FOR AGREEMENT WITH OTHER NATIONS ON EQUIVALENT INTERNATIONAL NOISE STANDARDS. IF AGREEMENT IS NOT REACHED WITHIN THREE YEARS, FOREIGN AND

U.S. INTERNATIONAL AIRCRAFT WILL BE REQUIRED TO MEET FAR 36

NOISE LEVELS AT END OF FIVE ADDITIONAL YEARS.

2. SINCE ABOVE REGULATORY ACTION, LEGISLATION HAS BEEN INTRODUCED IN CONGRESS WHICH, IF ENACTED, WOULD HAVE EFFECT OF EXTENDING FAR 36 NOISE STANDARDS TO ABOVE-MENTIONED EXEMPTED AIRCRAFT EFFECTIVE IN 1985. ADDITIONALLY, THREE ALTERNATIVE PROPOSALS ARE PRESENTLY BEING CONSIDERED FOR FUNDING COMPLIANCE WITH FAR 36, ONE OF WHICH (ADVANCED BY AIR TRANSPORT ASSOCIATION OF AMERICA) INVOLVES LEVYING A TWO DOLLAR HEAD TAX ON INTERNATIONAL AIR PASSENGERS DEPARTING U.S. POINTS IN ORDER TO FUND COMPLIANCE BY INTERNATIONAL OPERATORS, U.S. AND FOREIGN. AMOUNTS PAID BY PASSENGERS CARRIED BY FOREIGN AIRLINES WOULD BE HELD IN SPECIAL ACCOUNT FOR USE BY FOREIGN AIRLINES.

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3. IN TESTIFYING FOR ADMINISTRATION BEFORE THE HOUSE AVIATION SUBCOMMITTEE ON MAY 5, AS PART OF HEARING DEVOTED TO AIRCRAFT NOISE PROBLEM, SECRETARY OF TRANSPORTATION ADAMS SAID WITH REGARD TO INTERNATIONAL AVIATION: QUOTE: WE BELIEVE THAT ANY NOISE ABATEMENT PROGRAM THAT IS ESTABLISHED SHOULD PROVIDE FOR SIMILAR TREATMENT OF ALL AIRCRAFT USED IN SERVICE TO OR FROM THE UNITED STATES. WE SHOULD AVOID PROVISIONS WHICH FAVOR U.S. OPERATORS OVER THEIR FOREIGN COMPETITORS AND WE SHOULD ALSO AVOID RESTRICTING OUR OPERATORS IF SIMILAR RESTRICTIONS ARE NOT PLACED ON FOREIGN AIR CARRIERS.

BEFORE TAKING ACTION TO IMPOSE OUR STANDARDS ON AIRCRAFT USED IN INTERNATIONAL SERVICE, WE MUST MAKE EVERY EFFORT TO WORK OUT AN INTERNATIONALLY ACCEPTED PROGRAM WHICH IS COMPATIBLE WITH OUR NOISE ABATEMENT REQUIREMENTS. OBVIOUSLY A LEGAL REQUIREMENT NOW TO SUBMIT ALL AIRCRAFT USED IN SERVICE TO THE UNITED STATES TO EXACTLY THE SAME STANDARDS AS THOSE THE UNITED STATES, ACTING ALONE, HAS FIXED FOR AIRCRAFT USED IN DOMESTIC SERVICE, WOULD UNDERCUT THAT EFFORT. WE BELIEVE THE BEST COURSE TO FOLLOW IS THE POSITION TAKEN IN THE DEPARTMENT'S POLICY STATEMENT OF LAST NOVEMBER, THAT UNITED STATES DOMESTIC REGULATIONS WOULD BE ENFORCED BEGINNING IN 1985 IF INTERNATIONAL AGREEMENT IS NOT REACHED BY 1980. END QUOTE

HOPEFULLY THIS STATEMENT WILL REASSURE SHOMERUS.

4. IN DISCUSSING ISSUE WITH GERMAN OFFICIALS, EMBASSY

SHOULD EMPHASIZE THAT FUNDING SCHEME IS IN PROCESS OF FORMULATION, AND ULTIMATELY NONE MAY BE ADOPTED. FOREIGN

AIRLINES HAVE HAD OPPORTUNITY TO PRESENT THEIR VIEWS AT A HEARING SIMILAR TO THAT AT WHICH SECRETARY ADAMS LIMITED OFFICIAL USE

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TESTIFIED, WHEN INTERNATIONAL AIR TRANSPORT ASSOCIATION (IATA) ASSISTANT DIRECTOR GENERAL FOR TECHNICAL AFFAIRS GAVE TESTIMONY.

5. FOR ALL ADDRESSEES: FUNDING SCHEME PRESENTED BY SECRETARY ADAMS INCLUDES PROPOSED TWO DOLLAR SURCHARGE ON INTERNATIONAL PASSENGERS, WITH EACH AIRLINE HAVING THE OPTION NOT TO IMPOSE IT. AS PRESENTED, SCHEME LEAVES OPEN POSSIBILITY THAT AT SOME POINT INDIVIDUAL INTERNATIONAL AIRLINES MIGHT HAVE TO CHOOSE BETWEEN COLLECTING SURCHARGE AND MAINTAINING COST TO THEIR PASSENGERS AT SAME LEVEL AS COST TO PASSENGERS TRAVELING ON OTHER AIRLINES. DEPARTMENT WILL DISCUSS THIS ASPECT FURTHER WITH DEPARTMENT OF TRANSPORTATION. PLEASE DO NOT RAISE WITH FOREIGN OFFICIALS, BUT REPORT IF THEY RAISE IT WITH YOU. CHRISTOPHER

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